

SENATE BILL REPORT

SHB 2885

As Reported By Senate Committee On:
Labor, Commerce, Research & Development, February 28, 2008

Title: An act relating to industrial insurance for geoduck harvesters.

Brief Description: Modifying industrial insurance coverage for geoduck harvesters.

Sponsors: House Committee on Commerce & Labor (originally sponsored by Representatives Williams, Conway, Newhouse, Sells, Chandler, Condotta and Moeller).

Brief History: Passed House: 2/14/08, 93-0.

Committee Activity: Labor, Commerce, Research & Development: 2/28/08 [DP].

SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

Majority Report: Do pass.

Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Holmquist, Ranking Minority Member; Franklin, King, Murray and Prentice.

Staff: Mac Nicholson (786-7445)

Background: Employers working in a maritime occupation are covered by the Longshore and Harbor Workers' Compensation Act (LHWCA), which provides medical benefits, compensation for lost wages, and rehabilitation services to employees who are injured during the course of employment or contract an occupational disease related to employment. Under the act, certain categories of workers, including aquaculture workers, are exempted from federal coverage if they are covered by a state workers' compensation law. Federal law also allows crew members of a ship or vessel who are injured while working to sue their employer for injuries caused by the employer's negligence.

In 2007 the Legislature applied the state Industrial Insurance Act to commercial geoduck divers and tenders.

Summary of Bill: Tenders of commercial geoduck divers are exempt from the state Industrial Insurance Act.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: The bill takes effect on January 1, 2009.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Staff Summary of Public Testimony on Substitute Bill: PRO: Workers in this area are covered by the federal Jones Act, so the workers don't need to be covered by the state workers' compensation laws. This bill just fixes a mistake made in legislation passed last year.

Persons Testifying: PRO: Gordon Baxter, Washington Harvesters Association.